

Entered on Order

ORIGINAL

Motion denied without
Prejudice, for failure to
Show a prima facie
entitlement to relief.

S/REG
USB
4/14/10

1 John Lewis Mealer, Pro Per
2 6333 Gardenia Lane
3 Show Low, Arizona 85901
4 (928) 532-8191
jlmealer@mealercompanies.com

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6
7 **UNITED STATES BANKRUPTCY COURT**
8 **FOR THE SOUTHERN DISTRICT OF NEW YORK**

9
10
11 In re:
12 GENERAL MOTORS CORPORATION,
13 Debtor

CHAPTER 11
Case No. 09-50026
Honorable Robert E. Gerber

14
15 **MOTION TO APPROVE PROCEDURES FOR ADMINISTERING CLAIMS UNDER**
16 **BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4)(A)(C)**

17
18 I, John Lewis Mealer, request courts permission to enter this General Motors
19 Corporation., bankruptcy Case No. 09-50026 as "a creditor in connection with the prosecution of
20 a criminal offense relating to the case or to the business or property of the debtor;" under Title 11
21 U.S.C. 503(a)(1),(3)(A)(C) which will place this 'entity' in position for relief under Tort claims
22 against General Motors Corporation for intentional criminal actions upon my private person that
maliciously, intentionally and directly affected my business which occurred on June 9th, 2009.

23 I further declare the factual basis and timing of this claim to be for reasons of actual
24 damages done to myself beyond the defamation which have taken time to accrue due to the
nature of the interference. Eight months after the GM personal, blackening attack have proven to
25 damage my character and business.

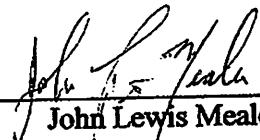
I certify and submit myself to the full extent of the law regarding false comments or
bogus claims before a federal court of law and to federal employees and agents if the court and
private entities that may be affected by any such false claims. All accounts, comments and
/

1 perceptions made and presented by myself regarding this matter forthwith are true and correct,
2 fully documented, including but not limited to a letter of admission created by General Motors
3 Corporation employees in June 2009 for their malicious, defamatory, crippling and blackening
4 attack on my person that intentionally interfered with and prevented growth funds for my
5 renewable fuel powered automobile manufacturing company (Mealer Companies LLC).

6 Affiant prays this court accept this MOTION TO APPROVE PROCEDURES FOR
7 ADMINISTERING CLAIMS UNDER BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4)
8 (A)(C) and allow affiant 'entity' access to the bankruptcy court to claim the tort violations, and
9 admissions made by General Motors Corporation regarding Debtor's malicious defamation,
10 Intentional Interference with a Prospective Business Advantage Tort and other illegal anti-
11 competitive practices and actions committed upon John Lewis Mealer on June 9th, 2009.

12 Affiant hereby further declares that all attachments to provide documentation for Tort
13 claims against General Motors corporation and other parties related to Debtor are true and
14 correct, and made without reserve by this affiant.

15
16 Dated: March 9th, 2010
17 Show Low, Arizona
18 6333 Gardenia Lane
19 Show Low, Arizona 85901
20 (928) 532-8191
jlmealer@mealercompanies.com


John Lewis Mealer

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3 **UNITED STATES BANKRUPTCY COURT**
4 **FOR THE SOUTHERN DISTRICT OF NEW YORK**

5
6
7 In re:) CHAPTER 11
8 GENERAL MOTORS CORPORATION,) Case No. 09-50026
9 Debtor) Honorable Robert E. Gerber
10

11 **DOCUMENTATION AND REASONING FOR MOTION AND CLAIM**

12 Affiant, John Lewis Mealer, hereby presents basis for this request with the following
13 facts for this Honorable Court's consideration in granting this MOTION:

14 I. John Lewis Mealer owns an Arizona registered alternative fuel powered automobile
15 manufacturing company, with an Internet Based "interim" website located at Internet URL
16 <http://mealercompanies.com>
17

18 II. On June 9th, 2009 employees of General Motors corporation, A. did enter in concert,
19 MEALER'S website, B. did sign on as investors under the guise of "MONEY01," C. did proceed
20 to leave the proceeding comments to the crippling detriment of MEALER and the pending
21 business-growth funding of Mealer Companies LLC in the tentative to (qualified) investor due
22 diligence and subsequent loss of pending contract amount of \$200,000,000.
23

24 III. Immediately following the General Motors Corporation employee rampage and
blackening of MEALER'S name, GM followed up what they were claiming as "My (their)
Blog" by contacting the various private individuals who made comments in regards to the GM
25 attacks on John Lewis Mealer and Mealer Companies LLC by telling them MEALER and the
3

1 Mealer Automobile is a fraud.

2 iv. During this Internet Defamation attack by General Motors corporation against MEALER,
3 which was intended to destroy MEALER AUTOMOBILES by and through the blackening of
4 MEALER'S good name and reputation, the entirety of the GM attack went to potentially
5 thousands of interested future customers, qualified investors and potential employees through the
website RSS feed.

6 v. MEALER has lost his good standing as a 'green' automaker, respect as a viable
7 businessman, untold future business capacity and other related matters due to the blackening of
8 his name and the malicious destruction of goals for automobile manufacturing and the MEALER
9 company name by intentional actions created and admitted to by the General Motors
Corporation.

11 **GENERAL MOTORS CORPORATION DEFAMATORY ASSAULT OF MEALER**

12 **Defamation:** A statement which causes harm to reputation.

13 A statement is defamatory if it "tends to injure the plaintiff's reputation and expose the plaintiff to public
hatred, contempt, ridicule, or degradation." Phipps v. Clark Oil & Ref. Corp., 408 N.W.2d 569, 573
(Minn. 1987). When the defamatory meaning is not apparent on its face, the plaintiff has the burden of
pleading and proving such extrinsic facts. Anderson v. Kammeier, 262 N.W.2d 366, 371 (Minn. 1977).

16 The comments below as highlighted, italicized in quotes, and meanings in underlined in quotes,
17 were in their entirety (*yes, there's more*), sent out to many highly interested qualified investors, future
18 customers and future engineering and other employees who had signed up for RSS feed from the Mealer
19 Companies LLC interim, qualified Investor based website known as mealercompanies.com;

21 1a. (Merriam Webster Dictionary), ... "*Mealer Automobiles? America's next major automobile*
company??"

22 "Question Marks and multiple usage of Question marks meaning: a: Something unknown,
unknowable, or uncertain b: someone (as an athlete or an automaker) whose condition, talent,
or potential for success is in doubt."

24 1b. (Collins English Dictionary), "...*HAH!!!!!!!!!!!!!!*"...
25 "HAH abbreviation of HA meaning an exclamation denoting surprise, joy or grief. Both uttered
and as written, it expresses a great variety of emotions, determined by the time or the context.
When repeated, ha ha, it is an expression of laughter, satisfaction, or triumph, sometimes derisive

1 laughter; or sometimes it is equivalent to "Well, it is so." Ha-has, and articulate hootings of
2 satirical rebuke. Carlyle

3 1c. (Stuart Jeffries, "The Joy of Exclamation Marks!" The Guardian, Apr. 29, 2009)
4 "There is surely a point after which exclamation marks no longer express friendliness. In this
5 post-literal time, exclamation marks become signs of sarcasm as witty correspondents rebel
6 against their overuse. Hence: I loved your last email! OMG did I LOVE it!!!!!! The point is
7 they didn't. They were being IRONIC."

8 1d. Use of multiple Exclamation Points with exclamation point defined as: "as a symbol of
9 factorial function, or (in logic) occurring with an existential quantifier"

10 2. (Cambridge Idiom Dictionary), "...it's obvious you don't have one (a mind)..."
11 commonly referred to as out of your mind:
12 "extremely stupid or mentally ill."

13 3a. (Merriam-Webster Dictionary), "...self serving..."
14 "Serving one's own interests often in disregard of the truth or the interests of others."

15 3b. (Merriam-Webster Dictionary), "...pathetic..."
16 "Pitifully inferior or inadequate"

17 3c. (Merriam-Webster Dictionary), "...MORON..."
18 "1. a person affected with mild retardation. 2. a very stupid person."

19 4. (Merriam-Webster Dictionary), "...CLOWN..."
20 "2. rude ill-bred person. 3. A person who habitually jokes and plays the buffoon."

21 5. (Merriam Webster Dictionary), "...real..." used twice to explain that Mealer was not "real".
22 "1. Not artificial, fraudulent, or illusionary. 2. GENUINE. 3. Genuinely good or capable of
23 success.

24 Furthermore, the GM attacks and admission of said attacks prove their attempt to
25 Intentionally Interfere with Mealer's Prospective Economic Advantage and destroy and blacken
Mealer's good name.

INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

Nature of the Tort of Intentional Interference with Prospective Economic Advantage

The elements of that tort are:

1. an economic relationship between [the plaintiff and some third person]
containing the probability of future economic benefit to the [plaintiff],
JL Mealer, while searching and discussing funding for expansion of his
alternative fuel powered automotive manufacturing business with multiple funding

1 groups, individuals, engineers, engineering companies, fabrication companies, et al, was
2 attacked and irreparably blackened, libeled, other wise made to lose these funding
3 accounts by GM - GMAC employees who later apologized for (thus admitted) the events.

4 **2. knowledge by the defendant of the existence of the relationship,**

5 GM-GMAC employee entered Mealer's investor oriented website, signing up as a
6 Blogger calling himself "MONEY01" then proceeded to destroy and blacken Mealer's
7 reputation, name, company value and over-all funding viability of Mealer's future
8 projects and business in whole with his remarks while also claiming to be a "real"
9 engineer of "real" automobiles" and then ending his tirade with "I wish you ALL the
10 worst the world can give a self serving pathetic MORON."

11 **3. intentional acts on the part of the defendant designed to disrupt the
12 relationship,**

13 GM-GMAC employee signing on as MONEY01 provides proof he knew a money source
14 was the objective of Mealer's website, and the over-all defamation and attack proves
15 MALICE along with the apology as described in detail for GM-GMAC employee's
16 attack.

17 **4. actual disruption of the relationship, [and] (5) damages to the plaintiff proximately
18 caused by the acts of the defendant.' (Buckaloo v. Johnson (1975) 14 Cal.3d 815, 827.)**

19
20 Mealer has lost all pending business relationships due to the June 9th , 2009 attack
21 including pending business expansion investments of \$200,000,000. as documented in
22 contracts which were pending prior to the blackening of Mealer's name and critical
23 engineering personnel who no longer wish to be associated with a defiled organization.
24

Additional GM-GMAC to Mealer Companies website visits show that GM-GMAC inner office /
engineering employees acting what appears to be combined effort may have been used to prevent Mealer
from maintaining mortgage payments and livelihood which ultimately resulted in Mealer going bankrupt
and declaring Ch 7 BK in Oct 2009 once the "pending-due-diligence" of investors fell through as per the
intentional and subsequent GM-GMAC published attacks against MEALER.

This Instant Case provides multiple violations of century old laws regulating business practices as
business are concerned. This case also proves the Anticompetitive Schemes that General Motors
Corporation has already admitted to when they offered a private 'heal-hearted' apology to MEALER.

Title 15 USC § 1. Trusts, etc., in restraint of trade illegal; penalty

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade
or commerce among the several States, or with foreign nations, is declared to be illegal. Every
person who shall make any contract or engage in any combination or conspiracy hereby declared
to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by
fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by
imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

Title 15 USC § 2. Monopolizing trade a felony; penalty

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any
other person or persons, to monopolize any part of the trade or commerce among the several
States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof,
shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person,
\$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the
discretion of the court.

- (1) whether such person or the opposing party, or either party's representative, made
motions or asserted claims or defenses so lacking in merit as to show that such party or
representative acted intentionally for delay, or otherwise acted in bad faith;
- (2) whether, in the course of the action involved, such person or the opposing party, or
either party's representative, violated any applicable rule, statute, or court order providing
for sanctions for dilatory behavior or otherwise providing for expeditious proceedings;
and
- (3) whether such person or the opposing party, or either party's representative, engaged
in conduct primarily for the purpose of delaying the litigation or increasing the cost
thereof.

Title 15 USC §15a. Suits by United States; amount of recovery; prejudgment interest

Whenever the United States is hereafter injured in its business or property by reason of
anything forbidden in the antitrust laws it may sue therefor in the United States district court for
the district in which the defendant resides or is found or has an agent, without respect to the
amount in controversy, and shall recover threefold the damages by it sustained and the cost of
suit. The court may award under this section, pursuant to a motion by the United States promptly

made, simple interest on actual damages for the period beginning on the date of service of the complaint for the period is just in the circumstances, the court shall consider only —

(1) whether the United States or the opposing party, or either party's representative, made motions or asserted claims or defenses so lacking in merit as to show that such party or representative acted intentionally for delay or otherwise scolded in bad faith;

(2) whether, in the course of the action involved, the United States or the opposing party, or either party's representative, violated any applicable rule, statute, or court order providing for sanctions for dilatory behavior or otherwise providing for expedited proceedings;

(3) whether the United States or the opposing party, or either party's representative, engaged in conduct primarily for the purpose of delaying the litigation or increasing the cost thereof; and

(4) whether the award of such interest is necessary to compensate the United States adequately for the injury sustained by the United States.

Affiant will immediately and as directed by this Honorable Court, provide additional documentation and evidence and the written admission from "GM" issued as an apology for the destruction of MEALEY'S name and business.

Affiant prays this court accept this MOTION TO APPROVE PROCEDURES FOR ADMINISTERING CLAIMS UNDER BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4) as explained by this DOCUMENTATION AND REASONING OF MOTION AND CLAIM (A)(C) to this CORPORATION regarding Debtor's malicious defamation, International Interference with a Prospective Plaintiff Motions Corporation et al, by and through admissions made by General Motors and allow affiant access to this bankruptcy court in order to claim the tort violations against General Motors Corporation et al, by and through admissions made by General Motors.

Business Advantage Tort and other illegal anti-competitive practices and actions committed by the Plaintiff Motions Corporation regarding Debtor's malicious defamation, International Interference with a Prospective Plaintiff Motions Corporation et al, by and through admissions made by General Motors.

Upon John Lewis Mealer on June 9th, 2009.

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:
GENERAL MOTORS CORPORATION,
Debtor

CHAPTER 11

Case No. 09-50026

Honorable Robert E. Gerber

**ORDER GRANTING MOTION TO APPROVE PROCEDURES FOR ADMINISTERING
CLAIMS UNDER BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4)(A)(C)**

UPON the motion of John Lewis Mealer dated March 9th, 2010, to be admitted TO APPROVE PROCEDURES FOR ADMINISTERING CLAIMS UNDER BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4)(A)(C) in order to present claims and seek Justice, by special appearance pro per, in this bankruptcy case; it is hereby

ORDERED, that John Lewis Mealer is admitted TO APPROVE PROCEDURES FOR
ADMINISTERING CLAIMS UNDER BANKRUPTCY CODE SECTION 503(a)(1)(A),(3)(4)
(A)(C) to present claims and seek Justice in the above referenced case, in the United States
Bankruptcy Court, Southern District of New York.

Dated:

, New York

UNITED STATES BANKRUPTCY JUDGE

**John Lewis Mealer, Pro Per
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**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:) CHAPTER 11
GENERAL MOTORS CORPORATION,) Case No. 09-50026
Debtor) Honorable Robert E. Gerber

CERTIFICATE OF SERVICE LIST

I, John Lewis Mealer, do certify that the following 8 page Motion was, on this 10TH day of MARCH in the year of our Lord, 2010 was mailed by first class mail to the following

Original
UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
HONORABLE ROBERT E. GERBER
CHAMBERS
ONE BOWLING GREEN
NEW YORK, NEW YORK 10004-1408
Ref: GM BK 09-50026-REG

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FOR THE DISTRICT OF ARIZONA
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Ref: MEALER 2:09-BK24899-RTB

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CHAPTER 11

Case No. 09-50026

Honorable Robert E. Gerber

John Lewis Mealer